

REMARKS

This amendment is offered in response to the Office Action of September 7, 2004.

As indicated above, Claims 21 and 22 are canceled, without prejudice or disclaimer.

In response to the "Minor Informalities" paragraph of page 4 of the application, Applicant respectfully submits that the preliminary amendment filed with the application amended the specification to include a reference to the parent application. However, this amendment further amends this language to include the patent number of the parent application.

The Office Action objects to the specification under 37 C.F.R. §1.71 and subsequently rejects Claims 15-17 under 35 U.S.C. §112, first paragraph. Apparently, the Office Action states that there is inadequate disclosure of the conveyor including a longitudinal slit and the marginal portions of the packing film passing through said slit. The Applicant respectfully submits that the slit and the marginal portions passing therethrough are disclosed in Figures 2 and 3 and are likewise disclosed in the specification in the paragraph bridging pages 5 and 6 as well as the first full paragraph on page 6. It is therefore respectfully submitted that this objection to the specification and rejection of Claims 15-17 are overcome.

The Office Action rejected Claims 13 and 14 under 35 U.S.C. §102(b) as being anticipated by the Suga reference (U.S. Patent No. 5,109,654). Similarly, the Office Action rejected Claims 18-20 under 35 U.S.C. §103(a) as being obvious over the Suga reference and rejected Claims 13-20 under 35 U.S.C. §103(a) as being obvious over the Leino reference (U.S. Patent No. 4,970,846) in view of the Fujiwara reference (U.S. Patent No. 6,119,435) or the Cassoli reference (U.S. Patent No. 4,679,379) or as being obvious over the Fujiwara reference or Cassoli reference in view of the Leino reference. The Applicant notes that the Office Action is

not clear as to the rejections over the Leino, Cassoli and Fujiwara references, and Applicant has tried to parse the alternative rejections.

Claim 1 has been amended to recite:

moving a sheet of packaging film longitudinally from a film supply to a forming box, said forming box having an open inlet end, an open outlet end, a top, opposed side walls and a pair of guide bars respectively outwardly adjacent from said side walls and extending in a downstream direction from said outlet end; and
guiding a longitudinal center portion of said packaging film along about the ~~interior~~ exterior of said forming box top and guiding longitudinal side marginal portions of said film ~~about~~ within said guide bars and onto a conveyor to form a product receiving film surface on said conveyor

It is respectfully submitted that this language clearly defines over the various references as no reference discloses the guiding of the longitudinal center portion of the packaging film about the exterior of the forming box top and guiding longitudinal side marginal portion of said film within said guide bars (the guide bars being “outwardly adjacent from said side walls”). It is respectfully submitted that this language is supported by the first two lines of page 6, “Alternatively the film could be fed about the forming box and the guide bars adjusted accordingly.”

It is therefore respectfully submitted that all of the prior art rejections are overcome.

For all of the reasons above, it is respectfully submitted that all of the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to

withdraw the rejections of the claims, to allow the claims, and to pass this application to early issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald Levy", with a long horizontal flourish extending to the right.

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